



Federal Register

11-14-08

Vol. 73 No. 221

Friday

Nov. 14, 2008

Pages 67359-67710



The **FEDERAL REGISTER** (ISSN 0097-6326) is published daily, Monday through Friday, except official holidays, by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, under the Federal Register Act (44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). The Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 is the exclusive distributor of the official edition. Periodicals postage is paid at Washington, DC.

The **FEDERAL REGISTER** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders, Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress, and other Federal agency documents of public interest.

Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless the issuing agency requests earlier filing. For a list of documents currently on file for public inspection, see www.federalregister.gov.

The seal of the National Archives and Records Administration authenticates the **Federal Register** as the official serial publication established under the Federal Register Act. Under 44 U.S.C. 1507, the contents of the **Federal Register** shall be judicially noticed.

The **Federal Register** is published in paper and on 24x microfiche. It is also available online at no charge as one of the databases on GPO Access, a service of the U.S. Government Printing Office.

The online edition of the **Federal Register** www.gpoaccess.gov/nara, available through GPO Access, is issued under the authority of the Administrative Committee of the Federal Register as the official legal equivalent of the paper and microfiche editions (44 U.S.C. 4101 and 1 CFR 5.10). It is updated by 6 a.m. each day the **Federal Register** is published and includes both text and graphics from Volume 59, Number 1 (January 2, 1994) forward.

For more information about GPO Access, contact the GPO Access User Support Team, call toll free 1-888-293-6498; DC area 202-512-1530; fax at 202-512-1262; or via e-mail at gpoaccess@gpo.gov. The Support Team is available between 7:00 a.m. and 9:00 p.m. Eastern Time, Monday–Friday, except official holidays.

The annual subscription price for the **Federal Register** paper edition is \$749 plus postage, or \$808, plus postage, for a combined **Federal Register**, **Federal Register** Index and List of CFR Sections Affected (LSA) subscription; the microfiche edition of the **Federal Register** including the **Federal Register** Index and LSA is \$165, plus postage. Six month subscriptions are available for one-half the annual rate. The prevailing postal rates will be applied to orders according to the delivery method requested. The price of a single copy of the daily **Federal Register**, including postage, is based on the number of pages: \$11 for an issue containing less than 200 pages; \$22 for an issue containing 200 to 400 pages; and \$33 for an issue containing more than 400 pages. Single issues of the microfiche edition may be purchased for \$3 per copy, including postage. Remit check or money order, made payable to the Superintendent of Documents, or charge to your GPO Deposit Account, VISA, MasterCard, American Express, or Discover. Mail to: U.S. Government Printing Office—New Orders, P.O. Box 979050, St. Louis, MO 63197-9000; or call toll free 1-866-512-1800, DC area 202-512-1800; or go to the U.S. Government Online Bookstore site, see bookstore.gpo.gov.

There are no restrictions on the republication of material appearing in the **Federal Register**.

How To Cite This Publication: Use the volume number and the page number. Example: 73 FR 12345.

Postmaster: Send address changes to the Superintendent of Documents, Federal Register, U.S. Government Printing Office, Washington, DC 20402, along with the entire mailing label from the last issue received.

SUBSCRIPTIONS AND COPIES

PUBLIC

Subscriptions:

Paper or fiche 202-512-1800
Assistance with public subscriptions 202-512-1806

General online information 202-512-1530; 1-888-293-6498

Single copies/back copies:

Paper or fiche 202-512-1800
Assistance with public single copies 1-866-512-1800
(Toll-Free)

FEDERAL AGENCIES

Subscriptions:

Paper or fiche 202-741-6005
Assistance with Federal agency subscriptions 202-741-6005

FEDERAL REGISTER WORKSHOP

THE FEDERAL REGISTER: WHAT IT IS AND HOW TO USE IT

FOR: Any person who uses the Federal Register and Code of Federal Regulations.

WHO: Sponsored by the Office of the Federal Register.

WHAT: Free public briefings (approximately 3 hours) to present:

1. The regulatory process, with a focus on the Federal Register system and the public's role in the development of regulations.
2. The relationship between the Federal Register and Code of Federal Regulations.
3. The important elements of typical Federal Register documents.
4. An introduction to the finding aids of the FR/CFR system.

WHY: To provide the public with access to information necessary to research Federal agency regulations which directly affect them. There will be no discussion of specific agency regulations.

WHEN: Tuesday, November 18, 2008
9:00 a.m.–12:30 p.m.

WHERE: Office of the Federal Register
Conference Room, Suite 700
800 North Capitol Street, NW.
Washington, DC 20002

RESERVATIONS: (202) 741-6008



Contents

Federal Register

Vol. 73, No. 221

Friday, November 14, 2008

Agricultural Marketing Service

NOTICES

Pork Promotion, Research, and Consumer Information Program; Request for Referendum, 67468–67469

Agriculture Department

See Agricultural Marketing Service

Army Department

See Engineers Corps

Blind or Severely Disabled, Committee for Purchase From People Who Are

See Committee for Purchase From People Who Are Blind or Severely Disabled

Census Bureau

NOTICES

American Indian Areas (AIAs) Program for the 2010 Census; Final Criteria and Guidelines, 67470–67482
Meetings:
Census Advisory Committees, 67482–67483

Centers for Disease Control and Prevention

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 67517–67518
Meetings:
Board of Scientific Counselors, National Institute for Occupational Safety and Health, (BSC, NIOSH), 67518

Centers for Medicare & Medicaid Services

RULES

Medicare Program:
Revisions to the Medicare Advantage and Prescription Drug Benefit Programs; Clarification of Compensation Plans, 67406–67414

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 67518–67520
Medicare and Medicaid Programs:
Approval of the Accreditation Association for Ambulatory Health Care for Continued Deeming Authority for Ambulatory Surgical Centers, 67520–67522
Approval of the Joint Commission for Continued Deeming Authority for Ambulatory Surgical Centers, 67522–67524

Coast Guard

PROPOSED RULES

Safety Zones:
Fireworks Displays within the Fifth Coast Guard District, 67444–67455

Commerce Department

See Census Bureau

See National Oceanic and Atmospheric Administration

Committee for Purchase From People Who Are Blind or Severely Disabled

NOTICES

Procurement List; Addition and Deletions, 67469–67470

Commodity Futures Trading Commission

PROPOSED RULES

Execution of Transactions:
Regulation 1.38 and Guidance on Core Principle 9; Extension of Comment Period, 67435

Consumer Product Safety Commission

RULES

Standard for All Terrain Vehicles, 67385–67387

Defense Department

See Engineers Corps

RULES

Federal Acquisition Regulation:
FAR Case 2007-013, Employment Eligibility Verification, 67651–67705
Federal Acquisition Circular 2005-29; Introduction, 67650
Federal Acquisition Circular 2005-29; Small Entity Compliance Guide, 67705–67706

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Federal Acquisition Regulation; Information Collection; Davis Bacon Act Price Adjustment (Actual Method), 67488–67489
Federal Acquisition Regulation; Submission for OMB Review; Past Performance Information, 67489
Establishment of Department of Defense Federal Advisory Committees, 67489–67490

Education Department

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 67492–67493

Energy Department

See Federal Energy Regulatory Commission

Engineers Corps

NOTICES

Environmental Impact Statements; Availability, etc.:
Berths 136-147 [TraPac] Container Terminal Project, Port of Los Angeles, Los Angeles County, CA; Draft General Conformity Determination, 67490–67491
Section 404 Permit Application for the Southern Beltway Transportation Project from I-79 to the Mon/Fayette Expressway, Washington County, PA, 67491

Environmental Protection Agency

RULES

Federal Antidegradation Policy Applicable to Waters of the United States within the Commonwealth of Pennsylvania; Withdrawal, 67396–67397
Inert Ingredient: Exemption from the Requirement of a Tolerance:
(S,S)-Ethylenediaminedisuccinic Acid, 67397–67400
Pesticide Tolerances:
Tetraconazole, 67400–67406

PROPOSED RULES

Federal Antidegradation Policy Applicable to Waters of the United States within the Commonwealth of Pennsylvania; removal, 67455–67456

National Primary Drinking Water Regulations:

Minor Correction to Stage 2 Disinfectants and Disinfection Byproducts Rule and Changes in References to Analytical Methods, 67456–67463

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 67507–67509

California State Nonroad Engine Pollution Control Standards:

California Nonroad Compression Ignition Engines - In-Use Fleets; Authorization Request; Extension of Comment Period, 67509

Environmental Impact Statements; Availability, etc.:

Comments Availability, 67509–67510

Weekly Receipt, 67511

Naphthalene Reregistration Eligibility Decision, 67511–67512

Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various Commodities, 67512–67514

Federal Aviation Administration**RULES**

Airworthiness Directives

Airbus Model A318, A319, A320, and A321 Series Airplanes, 67359–67361

Airworthiness Directives:

Airbus Model A318, A319, A320, and A321 Airplanes, 67379–67383

Allied Ag Cat Productions, Inc. Model G-164 Series Airplanes, 67372–67374

Boeing Model 737-100, -200, -200C, -300, -400, and -500 Series Airplanes, 67383–67385

Boeing Model 747 100, 747 100B, 747 100B SUD, 747 200B, 747 200C, 747 200F, 747 300, 747 400, 747 400D, 747 400F, and 747SR Series Airplanes, 67368–67372

Bombardier Model CL 600 2B19 (Regional Jet Series 100 & 440) Airplanes, 67363–67368

Dassault Model Mystere-Falcon 900, Falcon 900EX, and Falcon 2000 Airplanes, 67374–67376

Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB 135 Airplanes, and Model EMB 145, 145ER, 145MR, 145LR, 145XR, 145MP, and 145EP Airplanes, 67376–67379

Rolls-Royce plc RB211 Trent 553-61, 553A2-61, 556-61, 556A2-61, 556B-61, 556B2-61, 560-61, and 560A2-61 Turbofan Engines, 67361–67363

PROPOSED RULES

Airworthiness Directives:

Avidyne Corporation Primary Flight Displays (Part Numbers 700-00006-000, -001, -002, -003, and -100), 67429–67433

General Electric Co. (GE) CF6-80A Series Turbofan Engines, 67433–67435

Pratt & Whitney (PW) Models PW2037, PW2037(M), and PW2040 Turbofan Engines, 67427–67429

NOTICES

Helicopter Emergency Medical Services Operations, 67564–67565

Intent to Rule on Request to Release Airport Property at the Eagle County Regional Airport, Eagle, CO, 67565

Federal Communications Commission**RULES**

Rules and Regulations Implementing the Telephone

Consumer Protection Act of 1991; Effective Date, 67419

Television Broadcasting Services:

Casper, WY, 67419–67420

Huntsville, AL, 67420

Kansas City, MO, 67421

Sioux City, IA, 67420–67421

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 67514–67516

Federal Deposit Insurance Corporation**PROPOSED RULES**

Assessments, 67423–67424

Federal Emergency Management Agency**RULES**

Changes in Flood Elevation Determinations, 67416–67419

Suspension of Community Eligibility, 67414–67416

PROPOSED RULES

Proposed Flood Elevation Determinations, 67463–67467

NOTICES

Disaster Declarations:

Indiana, 67534

Major Disaster and Related Determinations:

Kansas, 67534–67535

Virgin Islands, 67535

Major Disaster Declaration:

Puerto Rico, 67535

Texas, 67536

Meetings:

National Advisory Council, 67536

Federal Energy Regulatory Commission**RULES**

Mandatory Reliability Standard for Nuclear Plant Interface

Coordination; Correction, 67387

NOTICES

Applications:

Alabama Power Co., 67493–67494

Public Service Company of Colorado, 67494–67495

Blanket Authorizations:

Tennessee Gas Pipeline Co., 67495

Combined Notice of Filings, 67495–67501

Environmental Impact Statements; Availability, etc.:

Algonquin Gas Transmission, LLC, 67501–67502

South Feather Water and Power Agency; Meetings, 67502–67503

Filings:

Kinder Morgan Texas Pipeline LLC, 67503

North American Electric Reliability Corp., 67503–67504

Orlando Utilities Commission, 67504

Initial Market-Based Rate Filing:

Pasco Cogen, Ltd., 67504

Meetings:

North American Electric Reliability Corp., 67504–67505

Petition for Approval of Rates:

Ohio Valley Hub, LLC, 67505

Records Governing Off-the Record Communications, 67505–67506

Request Under Blanket Authorization:

Tennessee Gas Pipeline Co., 67506

Settlement Conference:

American Electric Power Service Corp., 67506

Supplemental Notice That Initial Market-Based Rate Filing
Includes Request For Blanket Section 204
Authorization:
Canandaigua Power Partners II, LLC, 67506–67507

Federal Highway Administration

NOTICES

Final Federal Agency Actions on Proposed Highway in
Michigan, 67565–67566

Federal Housing Financing Agency

PROPOSED RULES

Golden Parachute and Indemnification Payments, 67424–
67427

Federal Mine Safety and Health Review Commission

NOTICES

Meetings; Sunshine Act, 67554

Federal Motor Carrier Safety Administration

NOTICES

Qualification of Drivers; Exemption Applications; Vision,
67566–67567

Federal Railroad Administration

NOTICES

Application for Approval of Discontinuance or
Modification of a Railroad Signal System or Relief from
the Requirements, 67567–67568

Federal Reserve System

NOTICES

Formations of, Acquisitions by, and Mergers of Bank
Holding Companies, 67516

Federal Retirement Thrift Investment Board

NOTICES

Meetings; Sunshine Act, 67516–67517

Federal Transit Administration

NOTICES

United We Ride State/Tribal Mobility Management
Coordination Grants; Solicitation for Proposals and
Technical Assistance/Training Available, 67568–67571

Fish and Wildlife Service

NOTICES

Revised Recovery Plan:
Sihek or Guam Micronesian Kingfisher (*Halcyon*
cinnamomina cinnamomina), 67541–67542

Food and Drug Administration

NOTICES

Meetings:
Pediatric Advisory Committee, 67524–67525
Pediatric Ethics Subcommittee, 67525–67526

General Services Administration

RULES

Federal Acquisition Regulation:
FAR Case 2007-013, Employment Eligibility Verification,
67651–67705
Federal Acquisition Circular 2005-29; Introduction, 67650
Federal Acquisition Circular 2005-29; Small Entity
Compliance Guide, 67705–67706

NOTICES

Agency Information Collection Activities; Proposals,
Submissions, and Approvals:
Federal Acquisition Regulation; Information Collection;
Davis Bacon Act Price Adjustment (Actual Method),
67488–67489
Federal Acquisition Regulation; Submission for OMB
Review; Past Performance Information, 67489

Health and Human Services Department

See Centers for Disease Control and Prevention

See Centers for Medicare & Medicaid Services

See Food and Drug Administration

See Health Resources and Services Administration

Health Resources and Services Administration

NOTICES

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 67526–67529

Homeland Security Department

See Coast Guard

See Federal Emergency Management Agency

See U.S. Citizenship and Immigration Services

PROPOSED RULES

Privacy Act of 1974; Implementation of Exemptions,
67422–67423

NOTICES

Privacy Act; Systems of Records, 67529–67532
Review and Revision of the National Infrastructure
Protection Plan, 67532–67534

Housing and Urban Development Department

NOTICES

Agency Information Collection Activities; Proposals,
Submissions, and Approvals:
Disaster Housing Assistance Program - Ike (DHAP-Ike);
Emergency Comment Request, 67538
Single Family Premium Collection Subsystem-Periodic
(SFPCS-P), 67538–67539
Federal Property Suitable as Facilities to Assist the
Homeless, 67539
Order of Succession for the Office of the Assistant Secretary
for Administration, 67539–67540
Public Housing Capital Fund Program, 67540–67541

Interior Department

See Fish and Wildlife Service

See Land Management Bureau

See National Park Service

See Surface Mining Reclamation and Enforcement Office

Internal Revenue Service

RULES

Determining the Amount of Taxes Paid for Purposes of
Section 901; Correction, 67387–67388
Section 1367 Regarding Open Account Debt; Correction,
67388–67389

International Trade Commission

NOTICES

Investigations:
1-Hydroxyethylidene-1,1-Diphosphonic Acid (HEDP)
from China and India, 67545–67546
Meetings; Sunshine Act, 67546

Justice Department**PROPOSED RULES**

Application Procedures and Criteria for Approval of Providers of a Personal Financial Management Instructional Course by United States Trustees, 67435–67444

Labor Department

See Occupational Safety and Health Administration

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 67546

Land Management Bureau**NOTICES**

Alaska Native Claims Selection, 67542
Environmental Impact Statements; Availability, etc.:
Buffalo Field Office, WY; Intent to Revise a Resource Management Plan, 67542–67544
Record of Decision for the Bay Resource Management Plan, AK, 67544–67545

Legal Services Corporation**NOTICES**

Grant Awards for the Provision of Civil Legal Services to Eligible Low-Income Clients, 67550–67554
Meetings; Sunshine Act, 67554

Mine Safety and Health Federal Review Commission

See Federal Mine Safety and Health Review Commission

National Aeronautics and Space Administration**RULES**

Federal Acquisition Regulation:
FAR Case 2007-013, Employment Eligibility Verification, 67651–67705
Federal Acquisition Circular 2005-29; Introduction, 67650
Federal Acquisition Circular 2005-29; Small Entity Compliance Guide, 67705–67706

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Federal Acquisition Regulation; Information Collection; Davis Bacon Act Price Adjustment (Actual Method), 67488–67489
Federal Acquisition Regulation; Submission for OMB Review; Past Performance Information, 67489

National Oceanic and Atmospheric Administration**NOTICES**

Exempted Fishing, Scientific Research, Display, and Chartering Permits:
Atlantic Highly Migratory Species; Letters of Acknowledgment, 67483–67486
Meetings:
Gulf of Mexico Fishery Management Council, 67486
South Atlantic Fishery Management Council, 67486–67488

National Park Service**RULES**

National Park System Units in Alaska, 67390–67393

National Science Foundation**NOTICES**

Meetings:
National Science Board; NSB Public Service Award Committee, 67554–67555

Nuclear Regulatory Commission**NOTICES**

Draft Report for Comment:
Modeling a Digital Feedwater Control System Using Traditional Probabilistic Risk Assessment Methods, 67555
Exemption:
Southern Nuclear Operating Company, Inc., Edwin I. Hatch Nuclear Plant, Unit No. 2 (HNP-2), 67555–67557

Occupational Safety and Health Administration**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
OSHA Strategic Partnership Program for Worker Safety and Health (OSPP), 67546–67548
Meetings:
Advisory Committee on Construction Safety and Health (ACCSH), ACCSH Work Group, 67548–67550

Pension Benefit Guaranty Corporation**RULES**

Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits, 67389–67390

Postal Regulatory Commission**RULES**

Administrative Practice and Procedure, Postal Service, 67708–67710
Administrative Practices and Procedures:
Postal Service, 67393–67396

PROPOSED RULES

Periodic Reporting Rules, 67455

Postal Service**NOTICES**

International Product Change:
Canada Post - United States Postal Service Contractual Bilateral Agreement for Inbound Market-Dominant Services, 67557
Meetings; Sunshine Act, 67557

State Department**NOTICES**

Bureau of Educational and Cultural Affairs (ECA) Request for Grant Proposals:
Youth Leadership Program with Algeria, the Philippines, or Serbia, 67557–67564

Surface Mining Reclamation and Enforcement Office**RULES**

Abandoned Mine Land Program, 67576–67647

Surface Transportation Board**NOTICES**

Continuance in Control Exemption:
Steven C. May; Lehigh Railway, LLC, 67571–67572
Joint Control and Operating / Pooling Agreements:
Norfolk Southern Railway Co., Pan Am Railways Inc., et al., 67572
Lease and Operation Exemption:
Lehigh Railway, LLC.; Norfolk Southern Railway Co., 67572–67573

Transportation Department

See Federal Aviation Administration

See Federal Highway Administration
See Federal Motor Carrier Safety Administration
See Federal Railroad Administration
See Federal Transit Administration
See Surface Transportation Board

NOTICES

Aviation Proceedings, Agreements filed, 67564

Treasury Department

See Internal Revenue Service

NOTICES

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 67573–67574

Meetings:

President's Advisory Council on Financial Literacy,
67574

U.S. Citizenship and Immigration Services**NOTICES**

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 67537–67538

Separate Parts In This Issue**Part II**

Interior Department, Surface Mining Reclamation and
Enforcement Office, 67576–67647

Part III

Defense Department; General Services Administration;
National Aeronautics and Space Administration,
67650–67706

Part IV

Postal Regulatory Commission, 67708–67710

Reader Aids

Consult the Reader Aids section at the end of this issue for phone numbers, online resources, finding aids, reminders, and notice of recently enacted public laws.

To subscribe to the Federal Register Table of Contents LISTSERV electronic mailing list, go to <http://listserv.access.gpo.gov> and select Online mailing list archives, FEDREGTOC-L, Join or leave the list (or change settings); then follow the instructions.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

6 CFR	141.....67456
Proposed Rules:	143.....67456
5.....67422	42 CFR
12 CFR	422.....67406
Proposed Rules:	423.....67406
327.....67423	44 CFR
1231.....67424	64.....67414
14 CFR	65.....67416
39 (9 documents)67359,	Proposed Rules:
67361, 67363, 67368, 67372,	67.....67463
67374, 67376, 67379, 67383	47 CFR
Proposed Rules:	64.....67419
39 (3 documents)67427,	73 (4 documents)67419,
67429, 67433	67420, 67421
16 CFR	48 CFR
1420.....67385	Ch. 1 (2
17 CFR	documents)67650, 67705
Proposed Rules:	2.....67651
1.....67435	22.....67651
38.....67435	52.....67651
18 CFR	
40.....67387	
26 CFR	
1 (2 documents)67387,	
67388	
28 CFR	
Proposed Rules:	
58.....67435	
29 CFR	
4022.....67389	
4044.....67389	
30 CFR	
700.....67576	
724.....67576	
773.....67576	
785.....67576	
816.....67576	
817.....67576	
845.....67576	
846.....67576	
870.....67576	
872.....67576	
873.....67576	
874.....67576	
875.....67576	
876.....67576	
879.....67576	
880.....67576	
882.....67576	
884.....67576	
885.....67576	
886.....67576	
887.....67576	
33 CFR	
Proposed Rules:	
165.....67444	
36 CFR	
13.....67390	
39 CFR	
3020 (2 documents)67393,	
67708	
Proposed Rules:	
3001.....67455	
40 CFR	
131.....67396	
180 (2 documents)67397,	
67400	
Proposed Rules:	
131.....67455	